

# SENATE RECORD VOTE ANALYSIS

105th Congress  
1st Session

Vote No. 108

June 19, 1997, 3:17 pm  
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## INTELLIGENCE AUTHORIZATION/Declassification of Aggregate Spending

**SUBJECT:** Intelligence Authorization Act for fiscal year 1998 . . . S. 858. Torricelli amendment No. 416.

### ACTION: AMENDMENT REJECTED, 43-56

**SYNOPSIS:** As reported, S. 858, the Intelligence Authorization Act for fiscal year 1998, will authorize appropriations for intelligence activities and programs of the U.S. Government, the Central Intelligence Agency Retirement and Disability System, and the Community Management Account of the Director of Central Intelligence.

**The Torricelli amendment** would require the President, in his annual budget submission, to declassify the aggregate total of classified spending being requested and the aggregate amount that had been appropriated for the current fiscal year.

**Those favoring** the amendment contended:

Argument 1:

This amendment addresses an enduring tension in our democracy between the need to preserve secrecy in intelligence activities and the right of the public to know and judge the uses to which its funds are being put. Though the Constitution states that "a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time," it has always been understood that there are some limits to that requirement. Few Americans, for instance, would argue that we need to disclose the names of informants and operatives overseas who give us information that we use to thwart terrorist attacks. If we were to disclose those names, those operatives and informants would be murdered, and we would not be able to stop planned terrorist attacks before they were carried out. Throughout the Cold War, when the United States faced a huge and equal adversary, the decision was made not only to classify the details of intelligence spending, but also to classify the total amount spent. The fear was that the Soviet Union would try to match the United States' effort, and that it could also use that information, along with other information it gathered, to

(See other side)

YEAS (43)			NAYS (56)			NOT VOTING (1)	
Republicans (1 or 2%)	Democrats (42 or 95%)		Republicans (54 or 98%)	Democrats (2 or 5%)		Republicans (0)	Democrats (1)
Specter	Akaka	Johnson	Abraham	Helms	Ford		Daschle- <sup>4</sup>
	Baucus	Kennedy	Allard	Hutchinson	Lieberman		
	Biden	Kerrey	Ashcroft	Hutchison			
	Bingaman	Kerry	Bennett	Inhofe			
	Boxer	Kohl	Bond	Jeffords			
	Breaux	Landrieu	Brownback	Kempthorne			
	Bryan	Lautenberg	Burns	Kyl			
	Bumpers	Leahy	Campbell	Lott			
	Byrd	Levin	Chafee	Lugar			
	Cleland	Mikulski	Coats	Mack			
	Conrad	Moseley-Braun	Cochran	McCain			
	Dodd	Moynihan	Collins	McConnell			
	Dorgan	Murray	Coverdell	Murkowski			
	Durbin	Reed	Craig	Nickles			
	Feingold	Reid	D'Amato	Roberts			
	Feinstein	Robb	DeWine	Roth			
	Glenn	Rockefeller	Domenici	Santorum			
	Graham	Sarbanes	Enzi	Sessions			
	Harkin	Torricelli	Faircloth	Shelby			
	Hollings	Wellstone	Frist	Smith, Bob			
	Inouye	Wyden	Gorton	Smith, Gordon			
			Gramm	Snowe			
			Grams	Stevens			
			Grassley	Thomas			
			Gregg	Thompson			
			Hagel	Thurmond			
			Hatch	Warner			
							<b>EXPLANATION OF ABSENCE:</b>
							1—Official Business
							2—Necessarily Absent
							3—Illness
							4—Other
							<b>SYMBOLS:</b>
							AY—Announced Yea
							AN—Announced Nay
							PY—Paired Yea
							PN—Paired Nay

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

determine precisely how the United States was spending that money. Given the size of the threat that the Soviet Union posed to the United States, the decision to classify aggregate intelligence spending was probably prudent. However, the Soviet Union no longer exists, and none of the United States' current potential adversaries could hope to match the United States' spending level. Releasing the information today would not pose the slightest threat to the United States' security interests. After the Cold War, the Defense Department recognized that it no longer had to keep so many of its budget details secret. It made public information on many of its programs that were formerly classified. As a result, the public was able to weigh the value of those defense programs against the value of other programs, and defense spending declined dramatically. Intelligence spending, though, has remained secret and it has continued to climb. We think Americans would be interested to know that it is climbing and has been climbing, and we think they may be supportive of cutting it and spending the money on pressing social concerns instead. We may be wrong--we will not know unless we give them the information they deserve. It is constitutional to withhold information for national security reasons, but we think our colleagues just want to withhold information to prevent intelligence funding from competing against other funding. As both a constitutional and a practical matter, therefore, Senators should vote in favor of the Torricelli amendment.

**Argument 2:**

We agree with the above arguments, except that we think disclosure of the aggregate classified spending would lead to more, not less, spending. In the post-Cold War world, the threats to the United States have shifted from direct military threats to terrorist threats. The intelligence community has the primary responsibility to contain terrorist threats. The American people will be willing to pay what is necessary to preserve national security. On that basis, we urge the adoption of this amendment.

**Those opposing the amendment contended:**

Disclosing the aggregate spending level on intelligence activities would not give Americans the slightest indication of whether that level was appropriate. What would it mean to the American people if they were told that the United States spent \$10 billion, \$20 billion, or \$100 billion annually on intelligence activities? The answer is nothing. The only possible way that they could judge the value of that spending would be to know the details of how much was being spent on precisely which programs, and why, and everyone admits that disclosing that type of information would put America's security seriously at risk. Though it would not have any benefit, it would have two negative consequences. First, it would result in raids on the intelligence budget based not on any rational evaluation of our security needs, but solely on the desire to spend even more money on other programs. Our colleagues have made very clear that they think releasing this information would result in cuts being made in intelligence spending. They have said that its total would be compared to totals about which Senators would be allowed to speak, such as totals for various social spending programs, and they have noted that total intelligence spending has climbed substantially since 1980. We believe that our colleagues' point is probably correct--if rising intelligence spending were pitted against social spending, and if no explanation for the necessity for greater intelligence funding could be given because that explanation was classified, then it would be a pretty easy argument to make that intelligence funding should be raided. Basically, only those people who wanted to slash intelligence spending would be allowed to make a case. Declassifying the aggregate spending level on intelligence activities would be the same as painting a bull's-eye on it for big-spending liberal Senators. The second negative consequence is that it would provide some useful information to the United States' adversaries. For a single year it would not provide much information, but comparing spending levels over the years would allow them to make trend analyses which, combined with other intelligence they gather, could be used to gain a good idea of the types of activities we were pursuing. In defense of this amendment, some Senators have suggested that the supposed level of classified intelligence spending is regularly leaked and bandied about in the press anyway, so we might as well just admit how much is spent. In response, we think we need to stop leaks, not create official ones. The final point that needs to be made is that this decision has traditionally been left to the President. The aggregate intelligence budget is classified because President Clinton has decided that it should be, just as every President before him back to Eisenhower has decided that it should be. We agree that it should be classified, and thus urge the rejection of this amendment.